

**ADULT FOSTER CARE LICENSING ADVISORY COUNCIL  
MEETING MINUTES**

**February 20, 2008**

**MEMBERS PRESENT**

Lacey Charboneau, Andrew Farmer, David Herbel, Phillip Lancaster, Linda Lawther, Paul McClain, Kathleen Murphy, Lauren Swanson

**MEMBERS ABSENT**

Cynthia Farrell, Ellen Sugrue Hyman, Brian Sabourin

**ABSENT MEMBERS REPRESENTED**

Cynthia Farrell/proxy to Lauren Swanson

**ADULT FOSTER CARE/HOME FOR THE AGED LICENSING STAFF**

James Gale, Director  
Deborah Wood, Division Director,  
Tom McWhorter, Program Specialist  
Marva Chambers, Secretary

Kathleen Murphy called the meeting to order. Roll call of Council members show that a quorum was present.

**Introduction of New Council Members**

An updated Council roster was distributed and members in turn introduced themselves around the table.

Edits to the roster are as follows:

New address and addition of title for Lacey Charboneau: Long Term Care Ombudsman, Citizens for Better Care, 560 Fifth Street, N.W., Ste 308, Grand Rapids, MI 49504, telephone 616-245-9451.

Correction to telephone number for David Herbel: 517-323-3687

**Election of Chair and Vice Chair**

Council members held discussion and agreed to nominate Phillip Lancaster as Chair and Linda Lawther as Vice Chair. Lauren Swanson made a motion to elect Phillip as Chair and Linda as Vice Chair. Andy Farmer seconded the motion. Motion passed.

### **Approval of Agenda**

Deborah asked that the following be added under Division/Bureau Updates:

Current Background Check Statistics  
Adult Foster Care Family Home Rules  
FORI Update

Kathleen moved that the agenda as written be approved; Andy Farmer seconded this motion. Agenda adopted.

### **Approval of Minutes - November 15, 2007**

Deborah Wood asked to give an update on the November 15, 2007 meeting minutes and they were as follows:

- The spreadsheet provided to the Council containing the total number of notice of findings for the period 2-1-07 through 11-1-07 revealed duplicates and needed to be reformatted for easier review.

Deborah reported that the spreadsheet was corrected and previously emailed to the Council. The Council requested a quarterly update for review.

- The Council requested that the handout provided showing the number of open facilities, capacity, complaints received, number referred to the Disciplinary Action Unit, and special investigations closed for 1994 through 2007 be emailed to them.

Deborah reported that this was sent.

- "Kathleen requested the number of facilities and substantiated complaints be provided to the Council."

Handouts of the requested statistics are included in today's meeting packet for the period 2002 through 2007.

The Council requested an update of these statistics be provided quarterly with a legend for the acronyms used in the report.

Linda Lawther made a motion to accept the November 15, 2007 minutes as written. Phil Lancaster seconded the motion. Motion passed.

### **Division/Bureau Updates**

Jim Gale presented: He first wanted to thank the Council for their work on the Cooperative Quality Assurance (CQA) subcommittee. He indicated that the work

of the subcommittee regarding the implementation of the NOF and FORI was crucial to the future of AFC regulation. Jim has spoken with the legislature and other Bureau of Children and Adult Licensing Divisions about the work and success of the CQA workgroup and indicated to them that the work of the CQA can be used as a model to achieve changes in regulation in the other Divisions. There is currently no on-going group in the other Divisions like the Adult Foster Care Licensing Advisory Council, which facilitated the formation of the CQA. Mr. Gale indicated that he has discussed the success of the CQA with Rep. Spade and how this process could be used to pursue deemed status in child welfare institutions. Deeming will probably be more feasible in child welfare as there are more accreditation organizations involved in child welfare. Mr. Gale complimented the Council on the collaborative process that took place in the CQA; collaboration that took place over the long term as this project took over 2 years for the CQA to complete their work and for the group's recommendation to be implemented.

### **Adult Foster Care Family Home Rules**

Jim reported that he had discussed drafting revised AFC Family Home Rules with Deborah. They were in agreement that drafting revisions of the AFC Family Home rules that were last revised in 1984 should begin. Deborah said there have been a lot of changes in the community and the rules need to be modernized.

To begin the process Jim and Deborah will prepare and present an outline of the rulemaking process with a projected time frame to the Council, Department of Human Services Administrative and the Executive Office. A written assurance of support from each of the 3 will be needed before we proceed.

After the draft rules are presented to the Council, a projected timeline will need Council consensus. The process will require subcommittees to meet over many months and Council members will need to look at their individual schedules when committing to the timeline. Jim said the rule making process must be a collaborative process between key participants.

The Council discussed the drafting of new AFC Family Home Rules. Lauren recalled other rule making processes, specifically the Fire Safety Rules that were successful and completed in a collaborative relationship.

Kathleen expressed concern that the process be specific to the drafting of family home rules only.

The pending proposed adult foster care fire safety rules for 7+ were discussed. Deborah and others on the Council have been attending the monthly rule promulgation process committee meetings. It was the consensus of the Council to add Fire Safety Rule Update to the next Council Agenda so the Council can be knowledgeable and provide support.

Phil added that fire safety in adult foster care is an important issue and he gave personal experience examples of fire drills and his concern for residents getting out of the facility. He said staff would need to lift him to get out of bed but he would not object to being dragged on a blanket if it meant he would be evacuated safely.

Phil's comment prompted discussion among the Council and it was agreed that fire drills need to continue for staff and residents to act quickly. Fires do not always start in the same place and drills should present different scenarios.

Deborah reported that there have been a number of fires in facilities over the last 4 or 5 years but staff and residents have both been evacuated safely. There have been no fatalities in an AFC facility fire since 1996.

Jim Gale complimented the Council on their work and accomplishments

### **STAFFING ISSUES**

Kathleen reported on a letter that the Council worked on together to support the Department in identifying to Legislators consequences of the Adult Foster Care staff shortage. A subcommittee was formed to create a letter to present to the Appropriations Committee.

Linda thanked Andy for getting them started with a draft letter.

The Council was asked to review the letter and provide feedback on how to proceed.

After review and discussion Phil made a motion to change "emergency situation" to "critical situation." Andy seconded the motion. Motion passed.

The Council agreed the last step of drafting the letter is to share with Jim and Deborah to be sure the Council is capturing the message correctly.

Jim said the letter is consistent with his budget request presentation to the House and Senate which would highlight the challenges lack of sufficient staff presents to vulnerable adults and to the economy by delaying the licensing of new facilities.

Kathleen said the letterhead created with Council members' names requires a majority vote of support. A vote was taken to send forth the letter as representing the Council's support. All in favor: Lacey Charboneau, Andy Farmer, Cynthia Farrell (proxy vote) David Herbel, Phillip Lancaster, Linda Lawther, Kathleen Murphy and Lauren Swanson. Abstained: Paul McClain

The Council discussed strategies to use to get the letter out. Linda Lawther will send the letter to all legislators. Agencies represented on the Council will distribute the letter to the community they serve. Phil and Linda as Council chair and vice chair will plan to attend the Budget Hearing.

Deborah provided an update of current staffing situation: 2 new AFC consultants started at the Kalamazoo and Traverse City offices on February 11, 2008. 1 new AFC consultant and a new area manager will be starting at the Lansing and Ann Arbor offices respectively on March 10<sup>th</sup>. Interviews were conducted last week for one additional consultant each for the Lansing and Flint offices, and another Kalamazoo consultant position will soon be posted. All positions but one are backfills from retirements. We expect 2 more retirements by the end of May.

**CURRENT BACKGROUND CHECK STATISTICS:**

Deborah distributed the most current background check statistics and indicated no firm word yet on proposed legislative changes.

**FOCUSED ONSITE RENEWAL INSPECTION (FORI) UPDATE:**

Staff and licensees who have participated in a FORI express satisfaction with the process. Deborah indicated that she would continue to evaluate the process over the next quarter. Deborah plans to have FAQs put on the website from the completed training questionnaires.

**MEETING ADJOURNED:**

Kathleen adjourned the meeting.

**NEXT MEETING:**

Wednesday, May 21, 2008

9:30 a.m. - 12:30 p.m.

7109 W. Saginaw, Lansing, MI

Room to be determined at later date

**COUNCIL MEMBERS WHO ARE UNABLE TO ATTEND THE MEETING ARE REQUESTED TO CONTACT THE LICENSING DIVISION AT (517) 373-8580.**